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July 29, 2001

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AUG 08 2001

In reference to: U.S. Serial No. 09/442,256

Filed: November 17, 1999

TECH CENTER 1600 2900

Entitled: "Anti - Cancer Extractions and Pharmaceutical Compositions and Methods"

Dr. Herbert Lilling
Patent Examiner
Art Unit
1651 Bldg CMI Room 11-B05
US Patent and Trading Office
2011 So. Clark Place
Crystal Plaza 2 1B03 Mailroom
Arlington, VA 22202

Dear Sir:

I welcome the opportunity to have direct communication with your office. I was previously corresponding with your office through the patent Attorneys of Kilpatrick Stockton LLP. In the past, I forwarded all necessary information to Kilpatrick Stockton LLP to be submitted to your office and have limited access to what has been submitted. I am requesting that the examiner inform me of any request for information by his office that was not submitted and an explanation to the status of his findings. Of particular concern to me is the question of whether the compound analysis produced by GC/MS application was considered as a basis of your determination. *The compounds identified using GC/MS application made my work distinct from previous works, and no previous work was supported with the compound analysis.*

I have received a copy the "Office action Summary" of your findings from Kilpatrick Stockton LLP. If the examiner has utilized the compound-analysis work in arriving at his/her decision or is unwilling to review such work, then I agree to the action as stated on "Office Action Summary" of his/her decision and I therefore have no further contest.

I am submitting with this application a check for \$55.00 fifty-five dollars to cover all applicable fees. If there are any questions, please contact my office. Thank you for your assistance in this matter.

Respectfully Submitted,

Tesfaye Yigzaw

Tesfaye Zerihun Yigzaw, President



Office Action Summary

Application No
09/442,256

Applicant(s)

YIGZAW

Examiner
DR. HERBERT J. LILLING

Group Art Unit
1651



☒ Responsive to communication(s) filed on Nov 6, 2000

☒ The action is: **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11, 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133) Extensions of time may be obtained under the provisions of 37 C.F.R. 1.136(a).

Disposition of Claim

- ☒ Claim(s) 4, 6, 8, 9, 12, 14, 22, 24, 26, 29, 32, 36, 38, 40, and 54, 72 is/are pending in the application.
- ☐ Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 21, 29, 30, and 38, 40 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☒ Claim(s) 4, 6, 8, 9, 12, 14, 22, 24, 26, 29, 32, 36, 38, 40, and 54, 72 are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

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Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All ☐ Some* ☐ None ☐ of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____.
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —